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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

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Complete if Known

Application Number	09/887,853
Filing Date	June 21, 2001
First Named Inventor	HOUSTON, L. L.
Art Unit	1643
Examiner Name	CANELLA, Karen A.
Attorney Docket Number	PP000926.0106 (2300-0926.05)

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY DOCKET NO.: PP0926.10:6

APPLICANT: Huston et al.

Serial No.: CON of 09/558,741

FILING DATE: on even date GROUP: 1642

U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
KAC	AA	4,472,509	09/18/84	Gansow et al.	436	548	
	AB	4,479,930	10/30/84	Hnatovich	424	1.1	
	AC	4,753,894	06/28/88	Frankel et al.	436	548	
	AD	4,946,778	08/07/90	Ladner et al.	435	69.6	
	AE	5,091,513	02/25/92	Huston et al.	530	387	
	AF	5,132,405	07/21/92	Huston et al.	530	387.3	

FOREIGN PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG Y/N
KAC	BA	W085/03523	08/15/85	PCT					
	BB	W088/09344	01/12/88	PCT					
	BC	0502812 A1	09/09/92	EPO					
	BD	W092/15682	09/17/92	PCT					
	BE	W093/06217	04/01/93	PCT					

OTHER ART, JOURNAL ARTICLES, ETC.

EXAM. INIT.		FILING DATE:	GROUP:
KAC	CA	Saul et al. (1978) The Journal of Biological Chemistry, Vol. 253, No. 2, pp. 585-597, "Preliminary Refinement and Structural Analysis of the Fab Fragment from Human Immunoglobulin New at 2.0 A Resolution"	
	CB	Khav et al. (1980) Science, Vol. 209, No. 4453, pp. 295-297, "Myocardial Infarct Imaging of Antibodies to Canine Cardiac Myosin with Indium-111-Diethylenetriamine Pentaacetic Acid"	
	CC	Kunkel (1985) Proc. Natl. Acad. Sci. Vol. 82, pp. 488-492, "Rapid and efficient site-specific mutagenesis without phenotypic selection"	
	CD	Chen et al. (1985) DNA, Vol. 4, No. 2, pp. 165-170, "Laboratory Methods Supercoil Sequencing: A Fast and Simple Method for Sequencing Plasmid DNA"	

EXAMINER

/Karen A. Canella, Ph.D./

DATE CONSIDERED

07/09/2006

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FORM PTO-1449

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APPLICANT: Huston et al.

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FILING DATE: on even date | **GROUP:** 1642.

FOREIGN PATENT DOCUMENTS

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EXAMINER

/Karen A. Canella, Ph.D./

DATE CONSIDERED

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FORM PTO-1449

ATTY DOCKET NO.: PP0926.106

INFORMATION DISCLOSURE STATEMENT

APPLICANT: Huston et al.

Serial No.: CON of 09/558,741

EXAM.
INIT.

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GROUP: 1642

KAC

CE	Bjorn et al. (1985) Cancer Research, Vol. 45, pp. 1214-1221, "Evaluation of Monocolonal Antibodies for the Development of Breast Cancer Immunotoxins"
CF	Fisher et al. (1986) Journal of Clinical Oncology. Vol. 4, No. 6, pp. 929-941, "Ten-Year Results From the National Surgical Adjuvant Breast and Bowel Project (NSABP) Clinical Trial Evaluating the Use of L-Phenylalanine Mustard (L-PAM) in the Management of Primary Breast Cancer"
CG	Satov et al. (1986) J. Mol. Biol., Vol. 190, pp. 593-604, "Phosphocholine Binding Immunoglobulin Fab McPC603 An X-ray Diffraction Study at 2.7 Å"
CH	Amit et al. (1986) Science, Vol. 233, pp. 747-753, "Three-Dimensional Structure of An Antigen-Antibody Complex at 2.8 Å Resolution"
CI	Sheriff et al. (1987) Proc. Natl. Acad. Sci. USA, Vol. 84, pp. 8075-8079, "Three-dimensional structure of an antibody-antigen complex"
CJ	Colman et al. (1987) Nature, Vol. 326, pp. 358-363, "Three-dimensional structure of a complex of antibody with influenza virus neuraminidase"
CK	Bartlet et al. (1987) The Lancet, Vol. II, No. 8552, pp. 171-175, "Adjuvant Tamoxifen in the Management of Operable Breast Cancer: The Scottish Trial"
CL	Aisner et al., (1987) Journal of Clinical Oncology, Vol. 5, No. 10, pp. 1523-1533, "Chemotherapy Versus Chemoimmunotherapy (CAF v CAFVP v CMF Each ± HER) for Metastatic Carcinoma of the Breast : A CALGB Study"
CH	Huston et al. (1988) Proc. Natl. Acad. Sci., Vo. 85, pp. 5879-5883, "Protein engineering of antibody binding sites: Recovery of specific activity in an anti-digoxin single-chain Fv analogue produced in Escherichia coli"
CN	Sefton (1988) Trends in Genetics, Vol. 4, No. 9, pp. 247-248, "news about c-erb-B-2 and HER2"
CO	Bird, et al. (1988) Science, Vol. 242, pp. 423-426, "Single-Chain Antigen-Binding Proteins"
CP	Vogel et al. (1988) Biochemistry, Vol. 28, pp. 2961-2966, "Binding Domains and Epitopes in Platelet-Derived Growth Factor"
CQ	Orlandi et al. (1989) Proc. Natl. Acad. Sci. USA, Vol. 86, pp. 3833-3837, "Cloning immunoglobulin variable domains for expression by the polymerase chain reaction"

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KAC	CR	Ring et al. (1989) Cancer Research Vol. 49, No. 11, pp. 3070-3080, "Distribution and Physical Properties of BCA200, a M 200,000 Glycoprotein Selectively Associated with Human Breast Cancer"
	CS	Dillman (1989), Annals of Internal Medicine, Vol. 111, pp. 592-603, "Monoclonal Antibodies for Treating Cancer"
	CT	Glockshuber et al. (1990) Biochemistry, Vol. 29, pp. 1362-1367, "A Comparison of Strategies to Stabilize Immunoglobulin F _v -Fragments"
	CU	Queen et al. (1989) Proc. Natl. Acad. Sci., Vol. 86, pp. 10029-10033, "A humanized antibody that binds to the interleukin 2 receptor"
	CV	Hird et al. (1990) Genes and Cancer, pp. 183-189, "Immunotherapy with Monoclonal Antibodies"
	CW	Batra et al. (1990) The Journal of Biological Chemistry, Vol. 265, No. 25, pp. 15198-15202, "Anti-Tac(Fv)-PE40, a Single Chain Antibody Pseudomonas Fusion Protein Directed at Interleukin 2 Receptor Bearing Cells"
	CX	McGuire et al. (1990) Journal of the National Cancer Institute, Vol. 82 No. 12, pp. 1006-1015, "How to Use Prognostic Factors in Axillary Node-Negative Breast Cancer Patients"
	CY	Shealy et al. (1990) The Journal of Nuclear Medicine, Vol. 31, No. 5, Abstract Book Proceedings of the 37th Annual Meeting, "Characterization and Biodistribution of Tc-99m Labeled Single Chain Antibody Fv Fragment (sFv)"
	CZ	Colcher et al. (1990) J. Natl. Cancer Inst., Vol. 82, No. 14, pp. 1192-1197, "In Vivo Tumor Targeting of a Recombinant Single-Chain Antigen-Binding Protein"
	CCA	Batra et al. (1990) Biochemical and Biophysical Research Communications Vol. 171, No. 1, pp. 1-6, "TGFA-anti-Tac(Fv)-PE40: A Bifunctional Toxin Cytotoxic for Cells with EGF or IL2 Receptors"
	CCB	Tai et al. (1990) Biochemistry, Vol. 29, pp. 8024-8030, "A Bifunctional Fusion Protein Containing Fc-Binding Fragment of B of Staphylococcal Protein A Amino Terminal to Antidigoxin Single-Chain Fv"
	CCC	Huston et al. (1990) Bispecific Antibodies and Targeted Cellular Cytotoxicity, Second International Conference, pp. 201-206, "Bifunctional Single-Chain Fv Fusion Proteins"
✓	CCD	Huston et al. (1990) Academic Press, Inc., Methods in Enzymology, Vol. 203, pp. 46-89, "Protein Engineering of Single-Chain Fv Analogs and Fusion Proteins"

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CCE	Whitlow et al. (1991), Methods: A Companion to Methods in Enzymology, Vol. 2, No. 2, pp. 97-105, "Single-Chain Fv Proteins and Their Fusion Proteins"
CCF	Nedelman et al. (1991) Abstract Form for Scientific Papers, No. 32070 The Society of Nuclear Medicine 38th Annual Meeting, "Rapid Infarct Imaging with a New Tc-99m Antimyosin sFv Fragment: Evaluation in Acute Myocardial Infarction in Dogs"
CCG	Waldmann (1991) Science, Vol. 252, pp. 1657-1662, "Monoclonal Antibodies in Diagnosis and Therapy"
CCH	Clackson et al. (1991) Nature, Vol. 352, pp. 624-628, "Making antibody fragments using phage display libraries"
CCI	Ring et al. (1991) Molecular Immunology, Vol. 28, No. 8, pp. 915-917, "Identity of BCA200 and c-erbB-2 Indicated by Reactivity of Monoclonal Antibodies with Recombinant c-erbB-2"
CCJ	Milenic et al. (1991) Cancer Research, Vol. 51, pp. 6363-6371, "Construction, Binding Properties, Metabolism, and Tumopr Targeting of a Single-Chain Fv Derived from the Pancarcinoma Monoclonal Antibody CC49"
CCK	Wels et al. (1992) J. Steroid Biochem. Molec. Biol., Vol. 43, No. 1-3, pp. 1-7, "Diminution of Antibodies Directed Against Tumor Cell Surface Epitopes: A Single Chain Fv Fusion Molecule Specifically Recognizes the Extracellular Domain of the c-erbB-2 Receptor"
CCL	Pack et al. (1992) Biochemistry, Vol. 31, No. 6, pp. 1579-1584, "Miniantibodies: Use of Amphipathic Helics To Produce Functional, Flexibility Linked Dimeric Fv Fragments with High Avidity in Escherichia coli"
CCM	Yokota et al. (1992) Cancer Research, Vol. 52, pp. 3402-3408, "Rapid Tumor Penetration of a Single-Chain Fv and Comparision with Other Immunoglobulin Forms"
CCN	Cumber et al. (1992) The Journal of Immunology, Vol. 149, No. 1, pp. 120-126, "Comparative Stabilities in Vitro and in Vivo of a Recombinant Mouse Antibody FvCys Fragment and a bisFvCys Conjugate"
CCO	Wels et al. (1992) Biotechnology, Vol. 10, pp. 1128-1132, "Construction, Bacterial Expression and Characterization of a Bifunctional Single-Chain Antibody-Phosphatase Fusion Protein Targeted to the Human ERBB-2 Receptor"
CCP	Schott et al. (1992) Cancer Research, Vol. 52, pp. 6413-6417, "Differential Metabolic Patterns of Iodinated versus Radiometal Chelated Anticarcinoma Single-Chain Fv Molecules"

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KAC

CCQ	Wels et al. (1992) Cancer Research, Vol. 52, pp. 6310-6317, "Selective Inhibition of Tumor Cell Growth by a Recombinant Single-Chain Antibody Toxin Specific for the erbB-2 Receptor"
CCR	Nedelman et al. (1993) The Journal of Nuclear Medicine, Vol. 34, pp. 234-241, "Rapid Infarct Imaging with a Technitium-99m-Labeled Anti-myosin Recombinant Single-Chain Fv: Evaluation in a Canine Model of Acute Myocardial Infarction"
CCS	Adams et al. (1993) Abstract, International Conference on Monoclonal Antibody Immunoconjugates for Cancer, "Demonstration of in vivo specificity of 125I-741F8 sFv, a single-chain Fv molecule"
CCT	Huston et al. (1993) Immunotechnology, Proceedings of the 21st Federal of European Biochemical Societies Meeting, Dublin, pp. 47-60, "Single-chain immunotechnology of Fv analogues and fusion proteins"
CCU	McCartney et al. (1993) Biotechnology, Advances in Gene Technology Protein Engineering and Beyond, Proceedings of the 1993 Miami Bio/Technology Winter Symposium, "Refolding of Single-Chain Fv with c-Terminal Cysteine (sFv'): Formation of Disulfide-Bonded Homodimers of Anti-c-erbB-2 and Anti-digoxin sFv'"
CCV	Huston et al. (1993) Intern. Rev. Immunol., Vol. 10, pp. 195-217, "Medical Applications of Single-Chain Antibodies"
CCW	Adams et al. (May 1993) Abstract, The Tenth International Hammersmith Conference, "Demonstration of in vivo tumor specificity of monovalent and divalent forms of 125I-741F8 sFv, an anti-c-erbB-2 single-chain Fv molecule"
CCX	Huston et al. (May 1993) Abstract for the 10th Hammersmith Meeting "Refolding and Characterization of single-chain Fv analogues having C-terminal cysteine (sFv): physicochemical behavior in vitro and tumor localization in vivo of monovalent sFv and bivalent (sFv) ₂ species directed to the c-erbB-2 tumor antigen and digoxin"
CCY	Holliger et al. (1993) Proc. Natl. Acad. Sci. USA, Vol. 90, pp. 6444-6448, "Diabodies: Small bivalent and bispecific antibody fragments"
CCZ	Adams et al. (1993) Cancer Research, Vol. 53, pp. 4026-4034, "Highly Specific in Vivo Targeting by Monovalent and Divalent Forms of 741F8 Anti-c-erbB-2 Single-Chain Fv"
CCCA	Jacobs (1991) Biotechnology 9:258-262.
CCCB	Reichmann et al. (1988) Nature 332: 323-327.

EXAMINER /Karen A. Canella, Ph.D./

DATE CONSIDERED 07/09/2006

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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY DOCKET NO.: PP0926,10 6

APPLICANT: Huston et al.

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U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
KAC	AG	5,258,498	11/02/93	Huston et al.	530	350	
	AH	5,260,203	11/09/93	Ladner et al.	435	172.3	
	AI	5,571,894	11/05/96	Wels et al.			
	AJ	5,587,458	12/24/96	King et al.			
	AK	5,877,305	3/02/99	Huston et al.			
✓	AL	6,054,561	4/25/00	Ring			

FOREIGN PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG Y/N

OTHER ART, JOURNAL ARTICLES, ETC.

EXAM. INIT.		FILING DATE:	GROUP:
KAC	CCCC	Houston, Abstract from NIH Grant, Serial No. U01 CA51880-05.	
KAC	CCCD	Pluckthun (1992) "Mono- and Bivalent Antibody Fragments Produced in Escherichia coli: Engineering, Folding and Antigen Binding," <u>Immunological Reviews</u> , 130: 151-188.	
EXAMINER	/Karen A. Canella, Ph.D./		DATE CONSIDERED

07/09/2006

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Complete if Known

Application Number

09/887.853

Filing Date

June 21, 2001

First Named Inventor

HOUSTON

Group Art Unit

1642

Examiner Name

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2300-0926.05 (PP00926.106)

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/Karen A. Canella, Ph.D./

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached.



1642
P#10

Attorney Docket No. 2300-0926.05 (PP00926.106)

PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 7/11/03.

By: [Signature]
Yang Tang

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 16 2003

In re application of HOUSTON et al.

Serial No.: 09/887,853

Examiner: Unassigned

TECH CENTER 1600/2900

Confirmation No.: 9213

Art Unit: 1642

Filed: June 21, 2001

For: BIOSYNTHETIC BINDING PROTEINS FOR IMMUNO-TARGETING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL**

Enclosed is an Information Disclosure Statement and accompanying Form PTO/SB/08A for the above-identified patent application.

- ☒ In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- ☐ In accordance with 37 C.F.R. §1.97(c), also enclosed is:
- ☐ the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
- ☐ a statement as specified in 37 C.F.R. §1.97(e).
- ☐ In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. §1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.
- ☐ Check No. ___ in the amount of \$___ for the total fee is attached.

- ☐ Enclosed is an explanation of non-English publication(s) ___ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) ___ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. ___.

This Information Disclosure Statement is filed within any one of the following time periods:

- ☐ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- ☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- ☒ before the mailing date of a first office action on the merits; or
- ☐ before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Please direct all further written communications in this application to:


Joseph H. Guth, Esq.
Chiron Corporation
Intellectual Property – R440
P.O. Box 8097
Emeryville, CA 94608-8097.

Dated: 7/11/03

Respectfully submitted,

Chiron Corporation
Intellectual Property – R440
P.O. Box 8097
Emeryville, CA 94608-8097
Tel: (650) 493-3400
Fax: (650) 493-3440

By:


Roberta L. Robins
Reg. No. 33,208



- ☒ [X] A return receipt postcard is also enclosed.
- ☐ [] Please charge \$_____ to Deposit Account No. 18-1648 for the total fee.
This paper is being submitted in duplicate.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 18-1648.

Please direct all further written communications in this application to:

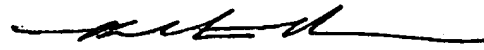
Joseph H. Guth, Esq.
Chiron Corporation
Intellectual Property – R440
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Dated: 7/11/03

Respectfully submitted,

Chiron Corporation
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P.O. Box 8097
Emeryville, CA 94608-8097
Tel: (650) 493-3400
Fax: (650) 493-3440

By:


Roberta L. Robins
Reg. No. 33,208



PTO/SB/08A (08-03)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known	
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		First Named Inventor	HOUSTON, L. L.
		Art Unit	1643
		Examiner Name	CANELLA, Karen A.
Sheet 1	of 1	Attorney Docket Number	PP000926.0106 (2300-0926.05)

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA				
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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code* (if known)				
KAC	BA	WO	93/21319	A	10-28-1993	Cetus Oncology		<input type="checkbox"/>
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	BD							<input type="checkbox"/>
	BE							<input type="checkbox"/>
	BF							<input type="checkbox"/>
	BG							<input type="checkbox"/>
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	BI							<input type="checkbox"/>
	BJ							<input type="checkbox"/>
	BK							<input type="checkbox"/>
	BL							<input type="checkbox"/>
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Examiner Signature	/Karen A. Canella, Ph.D./	Date Considered	07/09/2006
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/887,853

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First Named Inventor

HOUSTON, L. L.

Art Unit

1643

Examiner Name

CANELLA, Karen A.

Attorney Docket Number

PP000926.0106)

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement

(2 pages)



Certified Copy of Priority Document(s)



Reply to Missing Parts/ Incomplete Application



Reply to Missing Parts under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a Provisional Application



Power of Attorney, Revocation Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board of Appeals and Interferences



Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify below):

Information Disclosure Statement Under CFR 1.97(c) (3 pages)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Robins & Pasternak LLP

Signature



Printed name

Roberta L. Robins

Date

5/12/06

Reg. No.

33,208

CERTIFICATE OF TRANSMISSION/MAILING

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Date

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PATENT

CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8

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5-12-06
Date


Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

L. L. HOUSTON

Serial No.: 09/887,853

Filing Date: June 21, 2001

Title: BIOSYNTHETIC BINDING PROTEINS
FOR IMMUNO-TARGETING

Examiner: Karen A. CANELLA

Group Art Unit: 1643

Confirmation No.: 9213

Customer No.: 20855

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(c)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of publication BA cited in the attached Form PTO/SB/08A is enclosed.
- ☐ No copy of the U.S. publications ____ listed on the attached Form PTO/SB/08A are being provided because the Office waives the requirement under 37 C.F.R. 1.98 (a) (2) (i) for submitting a copy of each cited U.S. patent and each U. S. patent application publication for all U.S. national patent applications filed after June 30, 2003.

- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. ___ to which the above-identified application claims priority under 35 U.S.C. §120.
- ☒ Publication(s) BA listed on the attached Form PTO/SB/08A was cited in a foreign search or examination report corresponding to EP application serial no. 04078206.2 and mailed on March 2, 2006.
- ☐ Enclosed is a copy of a non-English publication(s) ___. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) ___. English language publication ___ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) ___ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) ___ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. ___.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing of:

- ☐ a final action under 37 C.F.R. § 1.113;
- ☒ a notice of allowance under 37 C.F.R. § 1.113; or
- ☐ an action that otherwise closes prosecution in this application.

In accordance with 37 C.F.R. § 1.97(c) also enclosed is:

- ☐ Fee under 37 C.F.R. § 1.17(p) in the amount of \$180.00; or
- ☒ Statement as specified in 37 C.F.R. § 1.97(e):
 - ☒ Each item of information contained in the Information Disclosure Statement cited herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or


- [] No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, having made a reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

This Information Disclosure Statement under 37 CFR § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Respectfully submitted,

Date: May 12, 2006

By: 
Roberta L. Robins
Registration No. 33,208

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